

HOUSE OF REPRESENTATIVES  
STATE OF UTAH



REPRESENTATIVE  
KAY L. MCIFF  
DISTRICT 70  
EMERY, SANPETE AND  
SEVIER COUNTIES

225 N. 100 E.  
RICHFIELD, UTAH 84701  
WORK (435) 896-4461  
CELL (801) 608-4331  
E-Mail: kaymciff@utah.gov

March 22, 2007

Senator Gregory S. Bell  
Chair, Judiciary Interim Committee  
744 Eagle Way  
Fruit Heights, UT 84037

Re: *Burgeoning Prison Population – Causes and Impacts*

Dear ~~Senator Bell~~: *Greg*:

The purpose of this letter is to solicit your thoughtful review and response to a matter I believe to be of considerable importance. If you agree, I will ask for your help.

I have taken the liberty of enclosing pages 10 and 11 from Corrections' Base Budget Presentation for FY '08. You will note Utah's adult prison population has increased by over 400% during the last 20 years. You will also note that while the reported crimes have remained relatively constant during recent years (*see* the graph on the second page), the number of felony sentences has continued to dramatically increase. Corrections identifies five factors contributing to this growth in inmate population. Four of the five are largely the product of our legislative approach and not necessarily reflective of more serious criminal behavior.

I have also taken the liberty of enclosing an article entitled "Getting Smart as Well as Tough on Crime" which was published by the *Utah Bar Journal* in November of 1998. The concerns which I raised then, and the statistics on which I relied, are even more dramatic and compelling than when I wrote the article.

I wonder if you would take a look at the article along with this information from Corrections and consider whether it would be wise for the Judiciary Interim Committee to engage in a study of this topic. I am this date sending a similar letter to Representative Douglas C. Aagard who chairs the Committee from the House side. I have considerable confidence in both of you and think you may agree that our beloved State may not be well served by another 400% increase in the prison population over the next 20 years.

Senator Gregory S. Bell  
March 22, 2007  
Page 2

I came to the legislative session this year thinking I might address this subject in committee and floor debates. However, it quickly became apparent that this approach is much too late in the game. By then, the sponsors are greatly invested in their "penalty-enhancement" bills and have usually generated support among fellow legislators and other interested persons in the law enforcement community. Moreover, once a bill reaches the floor the die is cast and individual legislators are weary of opposing any bill that could result in someone suggesting they are soft on crime. The only effective approach appears to be one in which we bring together, at an early date, the various interested parties with a design to foster greater restraint in the future, and perhaps re-examine areas where we should rethink our position.

I would greatly appreciate your looking at this and then perhaps you, Chairman Aagard and I could visit by telephone.

I hope everything else is well with you.

Best regards,



K. L. McIff

KLM/mf  
Enclosures